



PATENT APPLICATION
DOCKET NO.: 64104-00001

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)
DECLARATION AND POWER OF ATTORNEY**

FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Method and Apparatus for Closing a Severed Sternum**, the specification of which: (mark only one)

- ☒ (a) is attached hereto.
- ☐ (b) was filed on __ as Application Serial No. __ and was amended on ____ (if applicable)
- ☐ (c) was filed as PCT International Application No. PCT/____ on ____ and was amended on ____ (if applicable).
- ☐ (d) was filed on ____ as Application Serial No. __ and was issued a Notice of Allowance on ____.
- ☐ (e) was filed on _____ and bearing attorney docket number _____.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this

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application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year</u> <u>Filed</u>	<u>Date first laid-</u> <u>open or</u> <u>Published</u>	<u>Date</u> <u>patented or</u> <u>Granted</u>	<u>Priority Claimed</u> <u>Yes</u> <u>No</u>
NONE					

I hereby claim the benefit under 35 U.S.C. § 119(e)/120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
10/095,324	March 7, 2002	Pending
10/403,154	March 31, 2003	Pending
PCT/US02/34636	October 29, 2002	Pending

I hereby appoint:

ROBERT L. ABDON, Reg. No. 50,996
TIMOTHY G. ACKERMANN, Reg. No. 44,493
J. BENJAMIN BAL, Reg. No. 43,481
JOSEPH M. BEAUCHAMP, Reg. No. 46,544
NORMAN N. BENNETT, Reg. No. 51,229
MICHAEL D. BERGER JR., Reg. No. 52,616
MARY JO BOLDINGH, Reg. No. 34,713
MARGARET A. BOULWARE, Reg. No. 28,708
DANIEL J. BURNHAM, Reg. No. 39,618
SORINEL CIMPOES, Reg. No. 48,311
ANDREW G. DINOVO, Reg. No. 40,115
STUART D. DWORK, Reg. No. 31,103
VALERIE K. FRIEDRICH, Reg. No. 39, 676
JANET M. GARETTO, reg. No. 42,568

MARK J. GATSCHET, Reg. No. 42,569
JOHN C. GATZ, Reg. No. 41,774
RUSSELL J. GENET, Reg. No. 42,571
ANIL V. GOLLAHALLI, Reg. No. 48,996
LEKHA GOPALAKRISHNAN, Reg. No. 46,733
STEVEN R. GREENFIELD, Reg. No. 38,166
J. PAT HEPTIG, Reg. No. 40,643
SHARON A. ISRAEL, Reg. No. 41,867
JOHN R. KIRK, JR., Reg. No. 24,477
PAUL R. KITCH, Reg. No. 38,206
TIMOTHY M. KOWALSKI, Reg. No. 44,192
MICHAEL W. MADDOX, Reg. No. 47,764
ROGER L. MAXWELL, Reg. No. 31,855
LISA H. MEYERHOFF, Reg. No. 36,869
ASHLEY N. MOORE, Reg. No. 51,667
STANLEY R. MOORE, Reg. No. 26,958

DANIEL G. NGUYEN, Reg. No. 42,933
CONSTANCE M. PIELECH, Reg. No. 46,991
GREGORY PORTER, Reg. No. 40,131
ROSS T. ROBINSON, Reg. No. 47,031
STEPHEN G. RUDISILL, Reg. No. 20,087
JERRY R. SELINGER, Reg. No. 26,582
ZACHARY J. SMOLINSKI, Reg. No. 47,100
JUSTIN SWINDELLS, Reg. No. 48,733
STEVE Z. SZCZEPANSKI, Reg. No. 27,957
ANDRE M. SZUWALSKI, Reg. No. 35,701
ALAN R. THIELE, Reg. No. 30,694
CYNTHIA K. THOMPSON, Reg. No. 48,655
TAMSEN VALOIR, Reg. No. 41,417
BRIAN D. WALKER, Reg. No. 37,751
HAROLD N. WELLS, Reg. No. 26,044
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of JENKENS & GILCHRIST, a Professional Corporation, 1445 Ross Avenue, Suite 3200, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by

whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

J. Pat Heptig, Esq.
Jenkins & Gilchrist
A Professional Corporation
1445 Ross Avenue, Suite 3200
Dallas, Texas 75202-2799
214/855-4500
214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

1	Leonard Stevens		
	Full Name	Inventor's Signature	Date
	3405 South New Haven Tulsa, Oklahoma 74135	U.S.A.	
	Residence (city, state, country)	Citizenship	
	3405 South New Haven Tulsa, Oklahoma 74135		
	Post Office Address (include zip code)		

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2	Archibald S. Miller, III		
	Full Name	Inventor's Signature	Date
	6585 South Yale, Suite 314 Tulsa, Oklahoma 74136		U.S.A.
	Residence (city, state, country)	Citizenship	
	6585 South Yale, Suite 314 Tulsa, Oklahoma 74136		
	Post Office Address (include zip code)		